

3-29-00

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JC685 U.S. PTO  
03/28/00

EXPRESS MAIL RECEIPT NO.: EK532449806US  
DEPOSITED ON MARCH 28, 2000

PATENT  
Dkt. 22993

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

JC564 U.S. PTO  
09/537816  
03/28/00

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): **Stephen R. Genheimer; Kenneth L. Pottebaum; Jon P. Baker; John D. Stricklin**

For (title): **ACTUATOR ASSEMBLY MOUNTED DISC SNUBBER (As Amended)**

1. **Type of Application**

This transmittal is for a continuation application.

2. **Benefit of Prior U.S. Applications (35 U.S.C. Sections 119(e), 120, or 121)**

The new application being transmitted claims the benefit of prior U.S. applications.  
Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE  
BENEFIT OF PRIOR U.S. APPLICATIONS CLAIMED.

3. **Papers Enclosed**

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153  
(Design) Application

18 Page(s) of Specification  
7 Page(s) of Claims  
5 Sheet(s) of Drawing(s)--Informal

**B. Other Papers Enclosed**

8 Page(s) of declaration and power of attorney (copy as filed in parent application  
09/114,956 filed July 13, 1998)

1 Page(s) of abstract

1 Page(s) of Return Receipt Postcard

**4. Additional Papers Enclosed**

Preliminary Amendment

Information Disclosure Statement (37 C.F.R. 1.98) (copy as filed in parent application  
09/114,956 filed July 13, 1998)

Form PTO-1449 (PTO/SB/08A and 08B)

Notice of Filing of Continuing, Divisional or Continued Application

**5. Declaration or Oath**

Enclosed Combined Declaration and Power of Attorney

Executed by inventors: Stephen R. Genheimer, Kenneth L. Pottebaum, Jon P.  
Baker and John D. Stricklin

**6. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**7. Language**

English

**8. Assignment**

A copy of assignment as filed in the parent application 09/114,956 filed July 13, 1998, of  
the invention to SEAGATE TECHNOLOGY, INC. is attached. A separate FORM PTO  
1595 is also attached.

9. **Fee Calculation (37 C.F.R. Section 1.16)**

Regular Application

**A Preliminary Amendment is enclosed which cancels claims 1-17, and adds new claim 18. The following fees are figured accordingly for the pending claim 18.**

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**CLAIMS AS FILED**

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Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) <b>\$690.00</b>
Total Claims (37 CFR 1.16(c))	1	- 20 =	0 x	\$18.00	\$0.00
Independent Claims (37 CFR 1.16(b))	1	- 3 =	0 x	\$78.00	\$0.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$260.00	\$0.00

Amendment cancelling extra claims is enclosed.

Filing Fee Calculation

**\$690.00**

10. **Fee Payment Being Made at This Time**

Enclosed

Filing Fee

**\$690.00**

**Total Fees Enclosed**

**\$690.00**

**11. Method of Payment of Fees**

Check in the amount of \$690.00 is attached.

**12. Authorization to Charge Additional Fees**

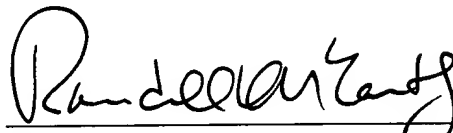
The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 13-0110.

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

**13. Instructions as to Overpayment**

Refund.



Randall K. McCarthy, Reg. No. 39,297

CROWE & DUNLEVY

1800 Mid-America Tower

20 North Broadway

Oklahoma City, Oklahoma 73102

Telephone: 405-235-7700

Facsimile: 405-239-6651

**14. ☒ Incorporation by reference of added pages**

*(check the following item if the application in this transmittal claims the benefit of prior U.S. application(s) (including an international application entering the U.S. stage as a continuation, divisional or C-I-P application) and complete and attach the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED)*

- ☒ Plus Added Pages for New Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed

Number of pages added

6

☒ Plus Added Pages for Papers Referred to in Items 4 and 5 above

1. Preliminary Amendment (4 pages)
2. Information Disclosure Statement and PTO/SB/08A and 08B (9 pages)
3. Combined Declaration and Power of Attorney by Assignee (8 pages)
4. Copy of Notification of Filing Continuing, Divisional or Continuing Prosecution Application in U.S. Serial No. 09/114,956 (1 page)

Number of pages added **22 pages & a return postcard**

       ☐ Plus added pages deleted names of inventor(s) named in prior application(s) who is/are no longer inventor(s) of the subject matter claimed in this application.

Number of pages added                     

☒ Plus copies of Recorded Assignment Documents, including: Notice of Recordation of Assignment Document (2 pages), Recordation Form Cover Sheet - Patents Only (FORM PTO-1595) (1 page) and attached Assignment (2 pages)

Number of pages added       **5**      

**15. Statement Where No Further Pages Added**

*(if no further pages form a part of this Transmittal, then end this Transmittal with this page and check the following item.)*

☐ this transmittal ends with this page.

EXPRESS MAIL RECEIPT NO. EK532449806US  
DEPOSITED ON MARCH 28, 2000  
Attorney's Docket No.: 22993

PATENT APPLICATION

Inventor(s): Stephen R. Genheimer, Kenneth L. Pottebaum, Jon P. Baker and John D. Stricklin

For: ACTUATOR ASSEMBLY MOUNTED DISC SNUBBER (As Amended)

ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE  
BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED

NOTE: See 37 CFR 1.78(a)

16. Relate Back

**Warning:** If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. 120, 121 or 365(c). (35 U.S.C. 154(a)(2) does not take into account, for the determination of the patent term any application on which priority is claimed under 35 U.S.C. 119, 365(a) or 365(b).) For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the application should consider cancelling the reference to the earlier filed application. The term of a patent is not based on a claim-by-claim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.

(complete the following, if applicable)

☐ Amend the specification by inserting, before the first line, the following sentence:

A. 35 U.S.C. 119(e)

NOTE: "Any nonprovisional application claiming the benefit of one or more prior filed copending provisional applications must contain or be amended to contain in the first sentence of the specification following the title a reference to each such prior provisional application, identifying it as a provisional application, and including the provisional application number (consisting of series code and serial number)." 37 CFR § 1.78(a)(4).

☒ "This application claims the benefit of U.S. Provisional Application(s) No(s).:

APPLICATION NO(S).:

FILING DATE

60/009,172

December 22, 1995

(Added Pages for Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed [4-1.1] - Page 1 of 6)

(Rel. 79 - 4/99 Pub. 605)

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**B. 35 U.S.C. 120, 121 AND 365(c)**

*NOTE: "Except for a continued prosecution application filed under § 1.53(d), any nonprovisional application claiming the benefit of one or more prior filed copending nonprovisional applications or international applications designating the United States of America must contain or be amended to contain in the first sentence of the specification following the title a reference to each such prior application, identifying it by application number (consisting of the series code and serial number) or international application number and international filing date and indicating the relationship of the applications. Cross-references to other related applications may be made when appropriate. (See § 1.14(a))." 37 CFR § 1.78(a)(2).*

☒ "This application is a

- ☒ continuation
- ☐ continuation-in-part
- ☐ divisional

of copending application(s)

- ☒ application number 09/114,956 filed on July 13, 1998  
application number 08/659,338 filed on June 6, 1996."
- ☐ International Application \_\_\_\_\_ filed on \_\_\_\_\_ and which designated the U.S."

*NOTE: The proper reference to a prior filed PCT application that entered the U.S. national phase is the U.S. serial number and the filing date of the PCT application that designated the U.S.*

*NOTE: (1) Where the application being transmitted adds subject matter to the International Application, then the filing can be as a continuation-in-part or (2) if it is desired to do so for other reasons then the filing can be as a continuation.*

*NOTE: The deadline for entering the national phase in the U.S. for an international application was clarified in the Notice of April 28, 1987 (1079 O.G. 32 to 46) as follows:*

*"The Patent and Trademark Office considers the International application to be pending until the 22nd month from the priority date if the United States has been designated and no Demand for International Preliminary Examination has been filed prior to the expiration of the 19th month from the priority date and until the 32nd month from the priority date if a Demand for International Preliminary Examination which elected the United States of America has been filed prior to the expiration of the 19th month from the priority date, provided that a copy of the international application has been communicated to the Patent and Trademark Office within the 20 or 30 month period respectively. If a copy of the international application has not been communicated to the Patent and Trademark Office within the 20 or 30 month period respectively, the international application becomes abandoned as to the United States 20 or 30 months from the priority date respectively. These periods have been placed in the rules as paragraph (h) of § 1.494 and paragraph (i) of § 1.495. A continuing application under 35 U.S.C. 365(c) and 120 may be filed anytime during the pendency of the international application."*

- ☐ "The nonprovisional application designated above, namely application \_\_\_\_\_, filed claims the benefit of U.S. Provisional Application(s) No(s).:

APPLICATION NO(S).:

FILING DATE

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

- ☐ "Where more than one reference is made above, please combine all references into one sentence.

### 17. Relate Back - 35 U.S.C. 119 Priority Claim for Prior Application

The prior U.S. application(s), including any prior International Application designating the U.S., identified above in item 17B, in turn itself claim(s) foreign priority(ies) as follows:

Country	Appln. no.	Filed on
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The certified copy(ies) has (have)

- ☐ been filed on \_\_\_\_\_, in prior application \_\_\_\_\_, which was filed on \_\_\_\_\_.
- ☐ is (are) attached.

**WARNING:**

*The certified copy of the priority application that may have been communicated to the PTO by the International Bureau may not be relied on without any need to file a certified copy of the priority application in the continuing application. This is so because the certified copy of the priority application communicated by the International Bureau is placed in a folder and is not assigned a U.S. serial number unless the national stage is entered. Such folders are disposed of if the national stage is not entered. Therefore, such certified copies may not be available if needed later in the prosecution of a continuing application. An alternative would be to physically remove the priority documents from the folders and transfer them to the continuing application. The resources required to request transfer, retrieve the folders, make suitable record notations, transfer the certified copies, enter and make a record of such copies in the Continuing Application are substantial. Accordingly, the priority documents in folders of international applications that have not entered the national stage may not be relied on. Notice of April 28, 1987 (1079 O.G. 32 to 46).*

### 18. Maintenance of Copendency of Prior Application

**NOTE:** The PTO finds it useful if a copy of the petition filed in the prior application extending the term for response is filed with the papers constituting the filing of the continuation application. Notice of November 5, 1985 (1060 O.G. 27).

(Added Pages for Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed [4-1.1] - Page 3 of 6)

(Rel. 79 - 4/99 Pub. 605)

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- A. ☐ Extension of time in prior application  
(This item must be completed and the papers filed in the prior application, if the period set in the prior application has run.)

☐ A petition, fee and response extends the term in the pending prior application until \_\_\_\_\_.

☐ A copy of the petition filed in prior application is attached.

- B. ☐ Conditional Petition for Extension of Time in Prior Application

(complete this item, if previous item not applicable)

☐ A conditional petition for extension of time is being filed in the pending prior application.

☐ A copy of the conditional petition filed in the prior application is attached.

19. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

(Complete applicable item (a), (b) and/or (c) below)

- (a) ☒ This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application is

☒ the same.

☐ less than those named in the prior application. It is requested that the following inventor(s) identified for the prior application be deleted:

\_\_\_\_\_  
(type name(s) of inventor(s) to be deleted)

- (b) ☐ This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application, the inventors in this application are

☐ the same.

☐ the following additional inventor(s) have been added:

\_\_\_\_\_  
(type name(s) of inventor(s) to be added)

20. **Abandonment of Prior Application (if applicable)**

- ☐ Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is granted a filing date, so as to make this application copending with said prior application.

*NOTE: According to the Notice of May 13, 1983 (103, TMOG 6-7), the filing of a continuation or continuation-in-part application is a proper response with respect to a petition for extension of time or a petition to revive and should include the express abandonment of the prior application conditioned upon the granting of the petition and the granting of a filing date to the continuing application.*

21. **Petition for Suspension of Prosecution for the Time Necessary to File an Amendment**

**WARNING:** *"The claims of a new application may be finally rejected in the first Office action in those situations where (1) the new application is a continuing application of, or a substitute for, an earlier application, and 92) all the claims of the new application (a) are drawn to the same invention claimed in the earlier application, and (b) would have been properly finally rejected on the grounds of art of record in the next Office action if they had been entered in the earlier application." MPEP, § 706.07(b).*

*NOTE: Where it is possible that the claims on file will give rise to a first action final for this continuation application and for some reason an amendment cannot be filed promptly (e.g., experimental data is being gathered) it may be desirable to file a petition for suspension of prosecution for the time necessary.*

*(check the next item, if applicable)*

- ☐ There is provided herewith a Petition to Suspend Prosecution for the Time Necessary to File An Amendment (New Application Filed Concurrently)

22. **Small Entity (37 CFR 1.28(a))**

- ☐ Applicant has established small entity status by the filing of a verified statement in parent application \_\_\_\_ on \_\_\_\_.
- ☐ A copy of the verified statement previously filed is included.

**WARNING:** *See 37 CFR § 1.28(a)*

[illegible]

- is being filed in the parent application, from which this application claims priority under 35 U.S.C. § 120.

COPY

EXPRESS MAIL RECEIPT NO.: EK53309451788  
DEPOSITED ON MARCH 28, 2000

PATENT  
Dkt. 22306

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Stephen R. Genheimer, Kenneth L. Pottebaum, Jon P. Baker and  
John D. Stricklin

Assignee: SEAGATE TECHNOLOGY, INC.

Application No.: 09/114,956

Group Art Unit: 2754

Filed: July 13, 1998

Examiner: W. Klimowicz

For: ACTUATOR ASSEMBLY MOUNTED  
DISC SNUBBER

Notice of Allowance Mailed: 12/28/99

Batch: G27

JC564 U.S. PTO  
09/537816  
03/28/00

Box Issue Fee  
Assistant Commissioner for Patents  
Washington, D.C. 20231

NOTIFICATION OF FILING OF CONTINUING,  
DIVISIONAL OR CONTINUED PROSECUTION APPLICATION

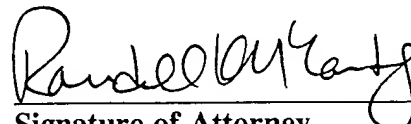
Notification is hereby made of the filing of a:

- ☒ Continuation
- ☐ Continuation-in-part
- ☐ Divisional
- ☐ Continued prosecution

application for this case

- ☒ concurrently herewith entitled ACTUATOR ASSEMBLY MOUNTED DISC SNUBBER (As Amended); Attorney Docket No. 22993

☐ on \_\_\_\_\_  
Date

  
Signature of Attorney

Reg. No.: 39,297

Tel. No.: (405) 235-7700

Fax No.: (405) 239-6651

Randall K. McCarthy  
(type or print name of attorney)  
Crowe & Dunlevy  
1800 Mid America Tower  
20 N. Broadway  
Oklahoma City, OK 73102-8273

Approved  
WJK 11-29-00



6-21-00  
gm

**EXPRESS MAIL RECEIPT NO.: EK532449806US**  
**DEPOSITED ON MARCH 28, 2000**

**DKT. 22993**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **Stephen R. Genheimer, Kenneth L. Pottebaum, Jon P. Baker and John D. Stricklin**

Assignee: **SEAGATE TECHNOLOGY, INC.**

Application No.: **Not Yet Assigned**

Group Art Unit: **Unknown**

Filed: **March 28, 2000**

Examiner: **Unknown**

For: **ACTUATOR ASSEMBLY MOUNTED  
DISC SNUBBER (As Amended)**

**Box Patent Application**

**Assistant Commissioner for Patents (Attention: Draftsman)**  
**Washington, D.C. 20231**

**SUBMISSION OF PROPOSED DRAWING AMENDMENT  
FOR APPROVAL BY EXAMINER (37 CFR 1.123)**

Attached please find

*(check applicable items)*

- ☐ a sketch in permanent ink,  
☒ a copy of the original drawing(s) with red ink markings,

showing the proposed changes to the drawing(s) in this application, for which the approval of the Examiner is requested.

Respectfully submitted,

**SIGNATURE OF ATTORNEY**

Reg. No.: 39,297

**Randall K. McCarthy**

(type or print name of attorney)

**Crowe & Dunlevy**

**1800 Mid-America Tower**

**20 N. Broadway**

**Oklahoma City, Oklahoma 73102-8273**

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